

ORDINANCE

AN ORDINANCE PROVIDING FOR THE PURPOSE OF MULTI-MUNICIPAL PLANNING BY THE CITY OF COATESVILLE AND NEIGHBORING MUNICIPALITIES.

The Council of the City of Coatesville hereby ordains as follows:

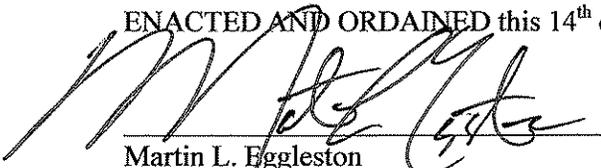
Section 1. The proper officers of the City of Coatesville are authorized and directed to execute and deliver the Intergovernmental Cooperative Agreement for Multi-municipal Planning dated as of August 24th 2009, by and among the municipalities of South Coatesville Borough, West Brandywine Township, Caln Township, West Caln Township, East Fallowfield Township, Sadsbury Township, Valley Township, Modena Borough, Coatesville School District and the City of Coatesville a copy of which attached hereto (the "Cooperative Planning Agreement"). The specific terms, conditions and provisions of the Cooperative Planning Agreement are made a part hereof.

Section 2. The conditions, duration and term, purpose and objective, scope and authority delegated, manner and extent of financing, organizational structure and other powers and responsibilities, are set forth in the attached Cooperative Planning Agreement.

Section 3. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any other section or provision of this Ordinance than the one so declared.

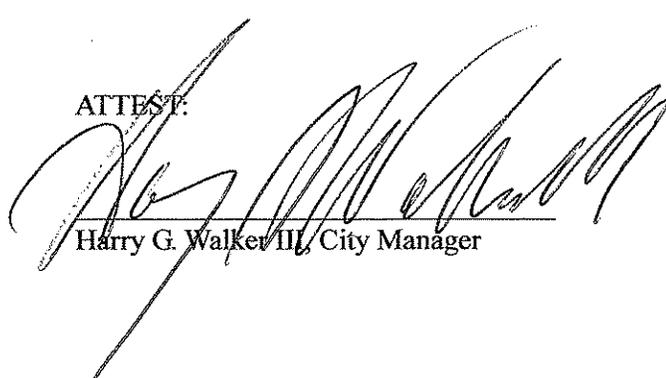
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof.

ENACTED AND ORDAINED this 14th day of September, 2009.



Martin L. Eggleston
President, City Council

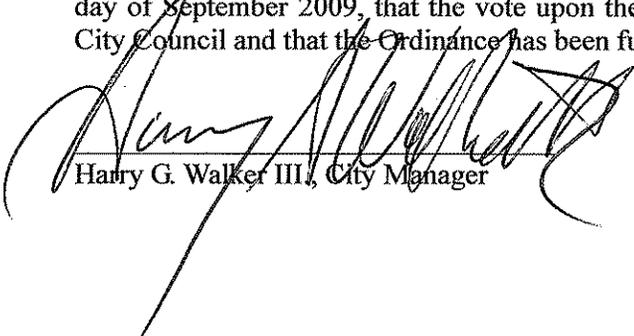
ATTEST:



Harry G. Walker III, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 24th day of August, 2009 and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 14th day of September 2009, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Harry G. Walker III, City Manager

MULTI-MUNICIPAL COOPERATIVE PLANNING AGREEMENT FOR THE WESTERN CHESTER COUNTY REGION

The Council of the City of Coatesville hereby agree to the following which shall establish the Western Chester County Regional Planning Committee as follows:

Section 1. Creation

The City of Coatesville shall join with participating municipalities to create the Western Chester County Regional Planning Committee as per the guidelines set forth under Article XI of the Pennsylvania Municipalities Planning Code, Act 247 as amended, and by the Intergovernmental Cooperation Law, Act 177 of 1996, 53 Pa C.S. Ch. 23.

Section 2. Purpose

The participating entities have come to recognize the benefits of studying and addressing economic growth and development issues at the regional level. To this end, the municipalities of the Western Chester County Region hereby embark on a course of action to engage in a multi-municipal planning effort. The City of Coatesville empowers the Regional Planning Committee to undertake the development of a Multi-municipal Economic Development Study and related activities.

Section 3. Membership

The Regional Planning Committee shall be comprised of the following members upon their approval and execution of this agreement: South Coatesville Borough, Modena Borough, Sadsbury Township, East Fallowfield Township, West Brandywine Township, Caln Township, West Caln Township, Valley Township, Coatesville School District and the City of Coatesville. The Board or Council of each participating municipality shall appoint two (2) representatives to the Regional Planning Committee, at least one of whom should be a township appointed official, governing body member or planning commission member.

Section 4. Voting Rights

Each member municipality shall have one vote to cast on all matters that come before the Regional Planning Committee that requires action. If the two members from the municipality are present at a meeting and cannot agree as to how to cast their vote, then the vote from the member of the governing body or, in their absence, the appointed official, shall decide the vote.

Section 5. Powers and Duties

The Regional Planning Committee shall have the responsibility to prepare a Multi-municipal Economic Development Study for the participating municipalities. To this end, the powers and duties of the Regional Planning Committee are as follows:

- a. To prepare a Multi-municipal Economic Development Study and related activities pursuant to Article III of the Pennsylvania Municipalities Planning Code, and by the Intergovernmental Cooperation Law 53 Pa C.S. Ch. 23.
- b. That in the preparation of said Study, the members of the Regional Planning Committee shall represent the interests of their respective municipalities, and shall cast one vote per municipality on all matters that require action.
- c. That upon completion of the Multi-municipal Economic Development Study, the Regional Study Committee shall forward said Study on to the participating municipalities.
- d. The Regional Planning Committee shall not usurp the powers, duties and obligations of the individual municipal Planning commissions and zoning hearing boards regarding subdivisions,

land developments, and zoning matters.

- e. The Regional Planning Committee is an advisory body but may undertake multi-municipal planning related activities.
- f. The Regional Planning Committee shall appoint a chairman and vice chairman at its organizational meeting.
- g. The Regional Planning Committee may approve the participation of one or more interested and or supportive organizations as non-voting committee members.

Section 6. Administration and the Expenditure of Funds

The Regional Planning Committee shall:

- a. Prepare an annual budget and appropriate funds for its operation.
- b. Seek federal, state and county grants to offset the cost of operation.
- c. Appoint a lead municipality to apply for and administer grants. However, all participating municipalities shall be equally responsible for administrative, financial and legal obligations of the Regional Planning Committee.
- d. Approve by majority vote a cost allocation for the non-grant allocated costs of the budgeted activities to each participating entity.

e. Section 7. The Hiring of Professional Consultants

Within the limits imposed upon it by the funds available for its use and enabling legislation for multi-municipal efforts, the Regional Planning Committee may enter into contracts with consultants as it sees fit to aid in its work.

Section 8. Withdrawal

Any participating municipality may withdraw from the Regional Planning Committee as follows:

- a. At the time of the adoption of the annual budget/cost allocation if said cost allocation is unacceptable to the governing body of the member and confirmed by a majority vote of that body within 30 days of the budget approval.
- b. After six months written notice.

Upon receiving notice that a municipality wishes to withdraw from the Regional Planning Committee, the governing bodies of the remaining municipalities shall promptly schedule a meeting to consider a reallocation of cost sharing and whether the remaining municipalities wish to continue with the Regional Planning Committee and the creation of a Multi-municipal Economic Development Study.

Section 9. Financial Responsibility

Any municipality which has exercised its right to withdraw from the multi-municipal Planning organization shall be financially responsible, even after withdrawal, for only those budgeted and non-budgeted items which it or its representative to the Regional Planning Committee had agreed to during the budgetary process.

Section 10. Severability

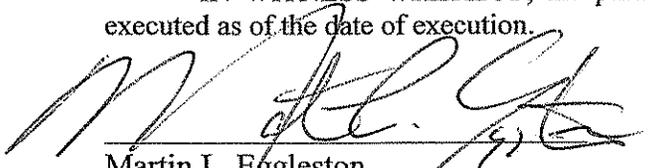
The provisions of this agreement are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such

decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this agreement.

Section 12. Amendments to the Implementation Agreement

Any amendment to this Agreement may be made only with the unanimous consent of all of the participating municipalities.

IN WITNESS WHEREOF, the participating municipalities have caused this Agreement to be executed as of the date of execution.



Martin L. Eggleston
President, City Council

ATTEST:



Harry G. Walker III
City Manager